RESPONSE TO RESTRICTION REQUIREMENT

Page 2 Dkt: 1662.004US2 10/539,765 Serial No.:

February 8, 2006 Filed:

METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES Title:

IN THE CLAIMS

Please amend the claims as follows.

- (Original) A method comprising: incubating a first sample suspected of 1. containing one or more competitor microbes and one or more target microbes in an acidic medium to produce a second sample; wherein incubating the first sample in the acidic medium can generate a second sample that has a higherpercentage of non-pathogenic or pathogenic Escherichia coli than the first sample.
- 2. (Original) The method of claim 1, wherein the pathogenic Escherichia coli is enterohemorrhagic Escherichia coli, enteropathogenic Escherichia coli, or enterotoxigenic Escherichia coli.
- 3. (Original) The method of claim 1, wherein one or more competitor microbes is a competitor bacterium.
- 4 (Original) The method of claim 3, wherein one or more competitor bacteria are killed or growth inhibited during incubation in the acidic medium.
- 5. (Original) The method of claim 1, wherein one or more target microbes is selected from the group consisting of Salmonella, Shigella, Staphylococcus, Klebsiella, Escherichia, Listeria, Morganella, Enterobacter, Serratia, Yersinia, Bacillus and Hafnia.
- 6. (Original) The method of claim 1, wherein one or more target microbes is a pathogenic bacterium.

Serial No.: Filed: Title:

10/539,765

February 8, 2006 METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES

Page 3 Dkt: 1662.004US2

7. (Original) The method of claim 6, wherein the pathogenic bacterium is enterohemorrhagic Escherichia coli, enteropathogenic Escherichia coli, or enterotoxigenic Escherichia coli.

- (Original) The method of claim 6, wherein the pathogenic bacterium is 8. Escherichia coli O157:H7.
- (Original) The method of claim 1, wherein the pH of the acidic medium is 9. between 1 and 6.
- 10. (Original) The method of claim 1, wherein the pH of the acidic medium is between 2 and 4.
- (Original) The method of claim 1, wherein the pH of the acidic medium is 11. hetween 2 and 3.
- (Original) The method of claim 1, wherein the first sample is an environmental 12 sample.
- (Original) The method of claim 1, wherein the first sample is a water sample. 13.
- (Original) The method of claim 1, wherein the first sample is a food sample. 14.
- (Original) The method of claim 1, wherein the first sample is a bodily sample. 15.
- (Original) The method of claim 1, wherein the acidic medium is selected from 16. the group consisting of GYT medium, LB medium, M9 minimal medium, NZCYM medium, NZYM medium, SOB medium, SOC medium, TB medium, 2x YT medium, BHI, and TSB.

Serial No.: 10/539,765

Filed: February 8, 2006
Title: METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES

Page 4 Dkt: 1662.004US2

Title: METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICRO

- (Original) The method of claim 1, wherein the acidic medium comprises a selective agent.
- 18. (Original) The method of claim 17, wherein the selective agent is an antibiotic.
- (Original) The method of claim 17, wherein the selective agent is a bacteriophage.
- (Original) The method of claim 17, wherein the selective agent is a nutritional supplement.
- (Original) The method of claim 17, wherein the selective agent is an inorganic selective agent.
- (Original) The method of claim 17, wherein the selective agent is an organic selective agent.
- (Original) The method of claim 17, wherein the selective agent is tellurite, selenite or sorbitol.
- 24. (Original) The method of claim 1, wherein the first sample is incubated in the acidic medium for 0.1 to 10 hours.
- (Original) The method of claim 1, wherein the first sample is incubated in the acidic medium for 1 to 4 hours.
- (Currently Amended) The method of claim 1, wherein the first sample is incubated in the acidic medium for 1-to 2.5 hours a length of time that causes

Serial No.: 10/539,765

Filed: February 8, 2

Title:

February 8, 2006
METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES

Page 5 Dkt: 1662.004US2

death of or damage to the competitive microbes when they are later incubated in a growth medium.

- (Original) The method of claim 1, wherein the first sample is incubated in the acidic medium at a temperature that is about 5°C to about 20°C.
- (Currently Amended) The method of claim 1, wherein the first sample is
 incubated in the acidic medium at a temperature that is about 20°C-to-about 45°C
 5°C to about 35°C.
- (Original) The method of claim 1, wherein the first sample is incubated in the acidic medium at a temperature that is about 20 °C to 22 °C.
- (Original) The method of claim 1, wherein the first sample is incubated in the acidic medium at a temperature that is between 37°C and 70°C.
- (Original) The method of claim 1, wherein the acidic medium comprises glutamate.
- (Original) The method of claim 1, further comprising detecting one or more target microbes in the second sample.
- (Original) The method of claim 32, wherein one or more target microbes is detected using selective growth media.
- (Original) The method of claim 33, wherein the selective growth media comprises an antibiotic.

10/539,765

Filed: February 8, 2006

METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES

- (Original) The method of claim 33, wherein the selective growth medium comprises a bacteriophage.
- (Original) The method of claim 33, wherein the selective growth medium comprises a nutritional supplement.
- (Original) The method of claim 33, wherein the selective agent is an inorganic selective agent.
- (Original) The method of claim 33, wherein the selective agent is an organic selective agent.
- (Original) The method of claim 33, wherein the selective growth medium comprises tellurite, selenite, or sorbitol.
- (Original) The method of claim 33, wherein the selective growth medium comprises a medium selected from the group consisting of GYT medium, LB medium, M9 minimal medium, NZCYM medium, NZYM medium, SOB medium, SOC medium, TB medium, 2x YT medium, BHI, and TSB.
- (Original) The method of claim 32, wherein one or more target microbes is detected using antibodies directed against the target microbe, enzyme-linked immunosorbent assay, or radioimmunoassay.
- (Original) The method of claim 32, wherein one or more target microbes is detected using polymerase chain reaction.

Filed: February 8, 2006 METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES

target microbe.

Title:

(Original) A kit comprising an acidic medium, a packaging material and 43. instructions for using the acidic medium for enriching a sample with at least one

- (Original) The kit of claim 43, further comprising a growth medium. 44.
- (Original) The kit of claim 43, further comprising a pH modifier. 45.
- (Original) The kit of claim 43, further comprising a means to detect the target 46. microbe.
- (Original) The kit of claim 43, wherein the target microbe is a bacterium. 47.
- (Original) The kit of claim 47, wherein the bacterium is enterohemorrhagic 48. Escherichia coli, enteropathogenic Escherichia coli, or enterotoxigenic Escherichia coli.
- (Original) The kit of claim 47, wherein the bacterium is Escherichia coli 49. O157:H7.
- (Original) The kit of claim 47, wherein the bacterium is Shigella. 50.
- (Original) A kit comprising packaging material, an acidic medium, a growth 51. medium, and a means for detecting bacteria.
- (Original) The kit of claim 51, wherein the acidic medium and the growth 52. medium are in liquid form.

Serial No.: Filed: February 8, 2006 METHODS AND COMPOSITIONS FOR SELECTIVELY ENRICHING MICROBES Title:

- (Original) The kit of claim 51, wherein the acidic medium and the growth 53. medium are in dry form.
- (Original) The kit of claim 53, further comprising sterile water. 54.
- (Original) The kit of claim 51, further comprising a pH modifier. 55.
- (Original) A kit comprising packaging material, culture media, a first pH 56. modifier, and a second pH modifier, wherein addition of the first pH modifier to the culture media produces an acidic medium and addition of the second pH modifier to the acidic medium produces a growth medium.
- (Original) The kit of claim 56, wherein the first pH modifier is an organic acid. 57.
- (Original) The kit of claim 56, wherein the organic acid is selected from the 58. group consisting of lactic acid, formic acid, acetic, proprionic, and butyric.
- (Original) The kit of claim 56, wherein the first pH modifier is an inorganic acid. 59.
- (Original) The kit of claim 56, wherein the first pH modifier is HCl, HF, HBr, 60. H2SO4, or H3PO4.
- (Original) The kit of claim 56, wherein the second pH modifier is NaOH or 61. KOH